

R #15
3/20/02
ENT 12

BY: Judi E Morgan

DATE: February 25, 2002

PATENT

**COPY OF PAPERS
ORIGINALLY FILED**

Group Art Unit: 1712

Examiner: Margaret Moore

Attorney Docket
8743-3U2
(H1274)

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Applicants hereby petition for the suspension of action in the above application under 37 C.F.R. § 1.103(a) and MPEP § 709 for the reasonable time period of six (6) months in order to allow Applicants to further analyze the prior art references cited by the Examiner. A response to the outstanding Office Action dated September 24, 2001 (Paper No. 12) accompanies this Petition.

The suspension of action is requested for good and sufficient cause as set forth in 37 C.F.R. § 1.103(a)(1). Namely, a fire recently occurred at Applicants' research and development facility in which the whole building and its contents, including all materials, instruments, documents, lab notebooks, etc. were completely destroyed. Due to the fact that Applicants are currently in the process of rebuilding their facility, Applicants do not have the time or the resources to study the references cited by the Examiner in order to submit additional arguments and/or

The FIC did not have the authority to
 borrow more than \$330,000 check out money
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evidence to distinguish the presently claimed invention over the prior art. Once the facility has been built and Applicants' company is functioning, which is expected to occur within six months, Applicants will be able to commit the time to further advancing the prosecution of this application. Acceptance of this Petition and the granting of a suspension of action for a period of six months are respectfully requested.

Enclosed is a response to the outstanding Office Action. A 2-month extension of time to and including February 25, 2002 (February 24, 2002 being a Sunday) is also enclosed, along with the appropriate extension fee as noted below.

The following fees are being paid by:

- ☒ Firm check(s) totaling \$330.00 [Petition Fee Under 1.17(h) (\$130) + 2-month Extension of Time (\$200)] are enclosed herewith.
- ☒ The Commissioner is hereby authorized to charge and/or credit Deposit Account No. 50-1017 (Billing No. 208743.0025) as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee(s).
- ☒ In the event that a Petition for Extension of Time is required, but not enclosed, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

Respectfully submitted,

BARRY ARKLES, et al.

February 25, 2002
(Date)

By:

William W. Schwarze

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Enclosures